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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,417	02/14/2001	Julian Orbanes	GPH-003I	4705
26161	7590	11/10/2003	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2174	
			DATE MAILED: 11/10/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/783,417

Applicant(s)

ORBANES ET AL.

Examiner

Mylinh T Tran

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-20 and 23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-20 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Line 7, "other like" should be avoided.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, 14-20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strasnick et al. [US. 5,671,381] in view of Astiz et al. [US. 6,035,330].

As to claims 1, 2, 12 and 23, Strasnick et al. discloses employing a plurality of data objects contained within a first data source (column 6, lines 35-65);

employing a hierarchical relationship between said plurality of data objects and employing a spatial paradigm (column 6, lines 17-60); and locating said plurality of data objects in virtual space relative to each other, based at least in part on said spatial paradigm and at least in part on said hierarchical relationship, to generate a zoom format to define said plurality of data objects (column 8, lines 10-30, column 11, lines 48-67 and column 18, lines 55-67). The difference between Strasnick et al and the claim is the markup language format to combine the zoom format of Strasnick. Astiz et al. shows the feature (see abstract and column 2, lines 1-60). It would have been obvious to one of ordinary skill in the art, having the teachings of Strasnick et al. and Astiz et al. before them at the time the invention was made to modify the zoom formatted data objects as taught by Strasnick to include the markup language of Astiz et al., in order enable the user to change the content of particular data nodes and also change the display layout of particular of data nodes as taught by Astiz et al.

As to claims 3, 4 and 14, Strasnick et al. shows employing a predefined tag to define 2 one of said plurality of data objects and the predefined tag is one of plate, raster, vector, text and link (figure 4A, column 10, lines 43-67, tag is a plate).

As to claims 5 and 6, Strasnick et al. also shows predefined tag coordinates for said plurality of data objects and defining within said predefined plate tag

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an x coordinate, a y coordinate, a z coordinate, a plate width, a plate height and a plate depth. (column 16, lines 1-65).

As to claims 7 and 8, while Strasnick et al. shows appearance of one of the plurality of data objects, Astiz et al. teaches URL address (abstract and column 5, lines 1-43).

As to claim 9 Strasnick et al. also shows predefined text tag a font value and a justify value (size value, column 6, lines 10-25).

As to claim 10, while Astiz et al. provides URL link, Strasnick et al. teaches a second of plurality of data objects (column 6, lines 18-35).

As to claim 11, in combination of Strasnick et al. and Astiz et al. show the step of generating a zoom markup language further comprises employing a predefined tag to define one of said plurality of data objects (Strasnick, column 3, lines 42-57), said predefined tag is defined using as few as one character (Astiz, column 4, lines 37-60).

As to claim 15, Strasnick et al. provides defining within said predefined tag a name corresponding to said one of said plurality of data objects, a value of a second one of said plurality of data objects to which a user travels, and a set of coordinates to locate said one of said plurality of data objects (column 20, lines 40-60).

As to claim 16, Strasnick et al. also provides predefined tag is one of text, axes, polygon, rectangle raster and vector (column 10, lines 42-65).

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As to claim 17, Astiz et al. demonstrates defining within said predefined text tag at least one of a title, a justify value, a format value and a wrap mode value (column 4, lines 37-60).

As to claims 18-20, Strasnick et al. also demonstrates predefined axes tag at least one of a label for a first axis, a maximum limit for said first axis, a minimum limit for said first axis, a label for a second axis, a maximum limit for said second axis and a minimum limit for said second axis and defining within said predefined polygon tag at least one of a points value corresponding to a number of points used to define a polygon, a coordinate value for each of said number of said points and predefined rectangle tag a set of coordinates to locate said one of said plurality of data objects. (column 16, lines 18-60).

### ***Conclusion***

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-4395 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications  
from the examiner should be directed to Mylinh Tran whose telephone  
number is (703) 308-1304. The examiner can normally be reached on  
Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the  
examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the  
application file. PTO employees do not engage in Internet communications  
where there exists a possibility that sensitive information could be identified  
or exchanged unless the record includes a properly signed express waiver of  
the confidentiality requirements of 35 U.S.C. 122. This is more clearly set  
forth in the Interim Internet Usage Policy published in the Official Gazette of  
the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this  
application or proceeding should be directed to the Group receptionist whose  
telephone number is (703) 305-3800.

Mylinh Tran  
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*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
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